IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 19752 of 2006

Date of Decision : 14.12.2006

Anek Chand ... Petitioner

Versus

State of Punjab and others. .. Respondents

CORAM : HON'BLE MR. JUSTICE J.S. KHEHAR,
HON'BLE MR. JUSTICE S.D. ANAND.

Present : Mr. G.S. Bal, Advocate,
for the petitioner.

J.S. Khehar, J. (Oral)

An order dated 16.09.2004 (Annexure P-12) was passed against the petitioner by the Principal, Government College, Gurdaspur, under Rule 5 of the Punjab Civil Service (Punishment and Appeal) Rules, 1970, whereby, two annual increments of the petitioner were stopped with cumulative effect. Through a subsequent order dated 06.12.2004 (Annexure P-14), the period during which the petitioner had remained absent was ordered to be treated as leave without pay.

It is the vehement contention of the learned counsel for the petitioner, that the petitioner preferred an appeal on 13.12.2004 against the aforesaid orders dated 16.09.2004 and 06.12.2004. It is, however, pointed out, that no decision has been taken by the competent authority till date. Learned counsel for the petitioner states, that the petitioner will be satisfied, if the instant writ petition is disposed of with a direction to the appellate authority, requiring him to take a final decision on his appeal dated 13.12.2004 (Annexure P-15).

In view of the above, without going into the merits of the claim raised by the petitioner, we consider it just and appropriate to dispose of the instant writ petition, with a direction to the appellate authority, to take a final decision on the appeal preferred by the petitioner on 13.12.2004 (Annexure P-15) by passing a well reasoned speaking order, in case the aforesaid appeal has not already been disposed of. Needful be done within two months from the date of receipt of the certified copy of the order.

Disposed of accordingly.

(J.S. Khehar)
Judge

December 14, 2006
vkd

(S.D. Anand)
Judge